

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BIN WANG,	:	CIVIL ACTION
	:	NO. 19-357
Petitioner,	:	
	:	
v.	:	
	:	
MICHAEL OVERMYER, et al.,	:	
	:	
Respondents.	:	

**O R D E R**

**AND NOW**, this **12th** day of **March, 2021**, upon careful and independent consideration of the Amended Petition for Writ of Habeas Corpus, together with the Response and Reply thereto, and after review of the Report and Recommendation ("R&R") of United States Magistrate Judge Linda K. Caracappa and Petitioner's Objections thereto, it is hereby **ORDERED**, for the reasons set forth in the accompanying memorandum, that:

1. The R&R (ECF No. 33) is **APPROVED** and **ADOPTED**, with the exception of Section III.A.5;
2. Petitioner's Objections to the R&R (ECF No. 37) are **SUSTAINED in part and OVERRULED in part**, as follows:
  - i. Objections 1, 2, 3, 5, 6, 7, 9, 10, 11, 13, 14, 15, 21, 22, and 23 are **OVERRULED**;
  - ii. Objections 4, 16, 17, 18, 19, and 20 are **DISMISSED as moot**; and

iii. Objection 12 is **SUSTAINED**.

3. The Amended Petition for Writ of Habeas Corpus (ECF No. 15) is **DISMISSED**;
4. There is no probable cause to issue a certificate of appealability;
5. Petitioner's motion to deem his Objections to the R&R timely filed (ECF No. 38) is **GRANTED**; and
6. The Clerk of Court is **DIRECTED** to mark this case **CLOSED**.

**AND IT IS SO ORDERED.**

/s/ Eduardo C. Robreno  
EDUARDO C. ROBRENO, J.